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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/359,874	07/27/1999	JOSEPH L. HELLERSTEIN	YO999-131	3396

7590 04/08/2003

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EXAMINER

HO, THE T

ART UNIT	PAPER NUMBER
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2126

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DATE MAILED: 04/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/359,874

Applicant(s)

HELLERSTEIN ET AL.

Examiner

The T. Ho

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### DETAILED ACTION

1. This action is in response to the amendment filed 01/21/2003.
2. Claims 1-20 have been examined and are pending in the application.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lauer U.S Patent No. 6,118,936 in view of APA and David Rabenhorst (1994 publication: Interactive Exploration of Multidimensional Data).

As to claim 1, Lauer discloses analyzing non-fully structured data (Fig. 6) associated with one or more events (collect data from network elements 602, Fig. 6 and lines 41-46 column 3); parsing at least a portion of the non-fully structured data (610, Fig. 6) according to one or more parsing rules (614, Fig. 6) to convert the at least a portion of non-fully structured data to structured data (616, Fig. 6); providing presentation operations (714, Parse and Standardize Data, Fig. 7a); provide a graphical representation of the at least a portion of structured data (network topology information is used to provide graphical displays, lines 57-58 column 5). However, Lauer does not explicitly disclose presenting the non-fully structured data and summary representation of the structured data, and coordinating data of two or more of the presentations.

APA teaches presenting the non-fully structured data (lines 18-19 page 2) and summary representation of the structured data (aggregate events and analyze summary information, lines 26-27 page 2). It would have been obvious to apply the teachings of APA to the system of Lauer because this provides the user different approaches to view the structured data.

David teaches coordinating data of two or more of the presentations to enable a coordinated analysis of the data (section 4: Integrated Interaction, ...addition to adjusting the details of individual presentations, Diamond supports several more modes of interaction to interact with the data, ...activate other presentations or visualizations of the data, page 2). It would have been obvious to apply the teachings of David to the system of Lauer for analysis purpose because the user can view different representations of the data at the same time; therefore performing general operations upon the data as disclosed by David (paragraphs 4-6 page 2).

As to claim 2, David further teaches in Fig. 3 coordinated views of the graphical representation (the dots) and the summary representation (150 points).

As to claim 3, Lauer as modified further discloses modifying the parsing rules to affect the parsing operation (allows the operator to limit the scope of his displays, lines 50-52 column 14).

As to claims 4-5, rubber-banding and zooming operations are conventional. It would have been obvious that the graphical displays of Lauer can include these techniques because they will provide better viewing of the data to the users.

As to claim 6, APA further teaches summary representation includes one or more attributes (event counts, line 27 page 2) associated with the structured data.

As to claim 7, Lauer as modified further discloses providing a selection operation (select All, or Clear, Fig. 8i).

As to claim 8, Lauer as modified further discloses providing a filtering operation (Filter Definition Window screen display window, lines 50-51 column 14).

As to the system of claim 9, note the discussion of the method of claim 1 above. Lauer as modified further discloses a parsing engine (610, Fig. 6), viewers (Fig. 8b-8j), and a selection and control engine coupled to the parsing engine and the viewers (SNMS 300, line 35 column 7), which controls operations associated with the parsing engine and the viewers.

As to claim 10, Lauer as modified further discloses the operations controlled by the selection and control engine include data and parsing rule access. (SNMS parses event, lines 36 column 7, and event is parsed according to defined parsing rules, lines 49-50 column 9).

As to claims 11, Lauer as modified further discloses communications between the viewers (lines 4-59 column 12).

As to the apparatus of claim 12, note the discussion of the method of claim 1 above. Moreover, the processor and memory are conventional. It would have been obvious that the system of Lauer (servers and client workstations, lines 38-42 column 4) can include these units because they are required for the system to operate.

As to claims 13-19, note the discussions of claims 2-8 above.

As to the product of claim 20, note the discussion of the method of claim 1 above.

### ***Response to Arguments***

4. Applicant's arguments filed have been fully considered but they are not persuasive.

Applicant argued that there is no motivation to combine Lauer and APA references (Remarks, lines 14-15 page 2). In response, the reasons for combining these references were clearly disclosed in claim 1 rejection above.

Applicant argued that the combination of Lauer and APA references does not teach: "coordinating data...analysis of the data" (Remarks, lines 8-10 page 4). In response, the applicant argued a limitation that is not claimed before. However, this limitation is met by David reference as disclosed in the claim rejection above.

Applicant argued that David reference was used in different context (Remarks, lines 16-19 page 4). In response, while this may be true it does not preclude using David in the claim rejections.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The T. Ho whose telephone number is 703-306-5540. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Thursday, 8:30 am – 6:00 pm, and every other Friday from 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C 20231

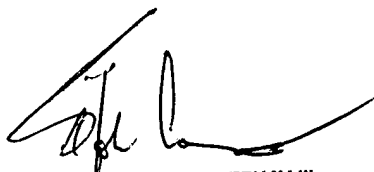
Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 746 – 7238
- OFFICAL faxes must be signed and sent to (703) 746 – 7239
- NON OFFICAL faxes should not be signed, please send to (703) 746 – 7240

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March 25, 2003



ST. JOHN COURTENAY III  
PRIMARY EXAMINER